

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 131, Page 13,  
2 Section 261.235, Line 86, by inserting after all of said section and line the following:  
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4 "261.241. 1. Sellers of [jams, jellies, and] honey whose annual sales of [jams, jellies, and] honey are  
5 [thirty] fifty thousand dollars or less per domicile shall not be required to construct or maintain separate  
6 facilities for the [manufacture] bottling of [jams, jellies, and] honey. Such sellers shall be exempt from all  
7 remaining health standards and regulations for the [manufacture] bottling of [jams, jellies, and] honey  
8 pursuant to sections 196.190 to 196.271 if they meet the following requirements:

9 (1) [Jams, jellies, and] Honey shall be [manufactured] bottled in the domicile of the person  
10 [processing] harvesting and selling the [jams, jellies, and] honey [and sold by the manufacturer to the end  
11 consumer];

12 (2) [Jams, jellies, and] Honey shall be labeled with the following information in legible English as set  
13 forth in subsection 2 of this section;

14 (3) [During the sale of such jams, jellies, and honey, a placard shall be displayed in a prominent  
15 location stating the following: "This product has not been inspected by the Department of Health and Senior  
16 Services.";

17 (4) Annual gross sales shall not exceed [thirty] fifty thousand dollars. The person [manufacturing]  
18 harvesting such [jams, jellies, and] honey shall maintain a record of sales of [jams, jellies, and] honey  
19 [processed] bottled and sold. The record shall be available to the regulatory authority when requested.

20 2. The [jams, jellies, and] honey shall be labeled with the following information:

21 (1) Name and address of the persons preparing the food;

22 (2) Common name of the food; and

23 (3) The name of all ingredients in the food[; and

24 (4) Statement that the jams, jellies, and honey have not been inspected by the department of health  
25 and senior services].

26 3. Sellers of [jams, jellies, and] honey who violate the provisions of this section may be enjoined  
27 from selling [jams, jellies, and] honey by the department of health and senior services."; and  
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29 Further amend said bill, Pages 13-15, Section 261.320, Lines 1-69, by deleting all of said section from the bill;  
30 and  
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32 Further amend said bill, Page 15, Section 261.320, Line 69, by inserting after all of said section and line the  
33 following:  
34

35 "262.960. 1. This section shall be known and may be cited as the "[Farm-to-School] Farm-to-Table  
36 Act".

37 2. There is hereby created within the department of agriculture the "[Farm-to-School] Farm-to-Table  
38 Program" to connect Missouri farmers and [schools] institutions in order to provide [schools] institutions with  
39 locally grown agricultural products for inclusion in [school] meals and snacks and to strengthen local farming  
40 economies. The department shall establish parameters for program goals, which shall include, but not be

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1 limited to, participating institutions purchasing at least five percent of their food products locally by  
 2 December 31, 2018. The department shall designate an employee to administer and monitor the  
 3 [farm-to-school] farm-to-table program and to serve as liaison between Missouri farmers and [schools]  
 4 institutions.

5 3. The following agencies shall make staff available to the Missouri [farm-to-school] farm-to-table  
 6 program for the purpose of providing professional consultation and staff support to assist the implementation  
 7 of this section:

- 8 (1) The department of health and senior services;
- 9 (2) The department of elementary and secondary education; [and]
- 10 (3) The office of administration; and
- 11 (4) The department of corrections.

12 4. The duties of the department employee coordinating the [farm-to-school] farm-to-table program  
 13 shall include, but not be limited to:

14 (1) Establishing and maintaining a website database to allow farmers and [schools] institutions to  
 15 connect whereby farmers can enter the locally grown agricultural products they produce along with pricing  
 16 information, the times such products are available, and where they are willing to distribute such products;

17 (2) Providing leadership at the state level to encourage [schools] institutions to procure and use  
 18 locally grown agricultural products;

19 (3) Conducting workshops and training sessions and providing technical assistance to [school]  
 20 institution food service directors, personnel, farmers, and produce distributors and processors regarding the  
 21 [farm-to-school] farm-to-table program; and

22 (4) Seeking grants, private donations, or other funding sources to support the [farm-to-school]  
 23 farm-to-table program.

24 262.962. 1. As used in this section, section 262.960, and subsection 5 of section 348.407, the  
 25 following terms shall mean:

26 (1) "Institutions", facilities including, but not limited to, schools, correctional facilities, hospitals,  
 27 nursing homes, and military bases;

28 (2) "Locally grown agricultural products", food or fiber produced or processed by a small  
 29 agribusiness or small farm;

30 [(2)] (3) "Schools", includes any school in this state that maintains a food service program under the  
 31 United States Department of Agriculture and administered by the school;

32 [(3)] (4) "Small agribusiness", a qualifying agribusiness as defined in section 348.400, and located in  
 33 Missouri with gross annual sales of less than five million dollars;

34 [(4)] (5) "Small farm", a family-owned farm or family farm corporation as defined in section 350.010,  
 35 and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.

36 2. There is hereby created a taskforce under the AgriMissouri marketing program established in  
 37 section 261.230, which shall be known as the "[Farm-to-School] Farm-to-Table Taskforce". The taskforce  
 38 shall be made up of at least one representative from each of the following [agencies]: the University of  
 39 Missouri extension service, the department of agriculture, the department of corrections, the department of  
 40 health and senior services, the department of elementary and secondary education, [and] the office of  
 41 administration, and a representative from one of the military bases in the state. In addition, the director of the  
 42 department of agriculture shall appoint [two persons] one person actively engaged in the practice of small  
 43 agribusiness. In addition, the [director of the department of elementary and secondary] commissioner of  
 44 education shall appoint [two persons] one person from schools within the state who direct a food service  
 45 program. The director of the department of corrections shall appoint one person employed as a correctional  
 46 facility food service director. The director of the department of health and senior services shall appoint one  
 47 person employed as a hospital or nursing home food service director. One representative for the department of  
 48 agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The  
 49 taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements  
 50 under this section. Staff of the department of agriculture may provide administrative assistance to the  
 51 taskforce if such assistance is required.

52 3. The mission of the taskforce is to provide recommendations for strategies that:

53 (1) Allow [schools] institutions to more easily incorporate locally grown agricultural products into  
 54 their cafeteria offerings, salad bars, and vending machines; and

1 (2) Allow [schools] institutions to work with food service providers to ensure greater use of locally  
2 grown agricultural products by developing standardized language for food service contracts.

3 4. In fulfilling its mission under this section, the taskforce shall review various food service contracts  
4 of [schools] institutions within the state to identify standardized language that could be included in such  
5 contracts to allow [schools] institutions to more easily procure and use locally grown agricultural products.

6 5. The taskforce shall prepare a report containing its findings and recommendations and shall deliver  
7 such report to the governor, the general assembly, and to the director of each [agency] entity represented on  
8 the taskforce [by no later than December 31, 2015] no later than December thirty-first of each year.

9 6. In conducting its work, the taskforce may hold public meetings at which it may invite testimony  
10 from experts, or it may solicit information from any party it deems may have information relevant to its duties  
11 under this section.

12 [7. This section shall expire on December 31, 2015.]; and

13  
14 Further amend said bill, Page 15, Sections 265.475, Lines 1-20, by deleting all of said sections from the bill;  
15 and

16  
17 Further amend said bill, Pages 34-35, Sections 319.114, by deleting all of said section from the bill; and

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19 Further amend said bill, Page 35, Section 319.114, Line 28, by inserting after all of said section and line the  
20 following:

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22 "348.407. 1. The authority shall develop and implement agricultural products utilization grants as  
23 provided in this section.

24 2. The authority may reject any application for grants pursuant to this section.

25 3. The authority shall make grants, and may make loans or guaranteed loans from the grant fund to  
26 persons for the creation, development and operation, for up to three years from the time of application  
27 approval, of rural agricultural businesses whose projects add value to agricultural products and aid the  
28 economy of a rural community.

29 4. The authority may make loan guarantees to qualified agribusinesses for agricultural business  
30 development loans for businesses that aid in the economy of a rural community and support production  
31 agriculture or add value to agricultural products by providing necessary products and services for production  
32 or processing.

33 5. The authority may make grants, loans, or loan guarantees to Missouri businesses to access  
34 resources for accessing and processing locally grown agricultural products for use in [schools] institutions, as  
35 defined in section 262.962, within the state.

36 6. The authority may, upon the provision of a fee by the requesting person in an amount to be  
37 determined by the authority, provide for a feasibility study of the person's rural agricultural business concept.

38 7. Upon a determination by the authority that such concept is feasible and upon the provision of a fee  
39 by the requesting person, in an amount to be determined by the authority, the authority may then provide for a  
40 marketing study. Such marketing study shall be designed to determine whether such concept may be operated  
41 profitably.

42 8. Upon a determination by the authority that the concept may be operated profitably, the authority  
43 may provide for legal assistance to set up the business. Such legal assistance shall include, but not be limited  
44 to, providing advice and assistance on the form of business entity, the availability of tax credits and other  
45 assistance for which the business may qualify as well as helping the person apply for such assistance.

46 9. The authority may provide or facilitate loans or guaranteed loans for the business including, but  
47 not limited to, loans from the United States Department of Agriculture Rural Development Program, subject  
48 to availability. Such financial assistance may only be provided to feasible projects, and for an amount that is  
49 the least amount necessary to cause the project to occur, as determined by the authority. The authority may  
50 structure the financial assistance in a way that facilitates the project, but also provides for a compensatory  
51 return on investment or loan payment to the authority, based on the risk of the project.

52 10. The authority may provide for consulting services in the building of the physical facilities of the  
53 business.

54 11. The authority may provide for consulting services in the operation of the business.

12. The authority may provide for such services through employees of the state or by contracting with private entities.

13. The authority may consider the following in making the decision:

- (1) The applicant's commitment to the project through the applicant's risk;
- (2) Community involvement and support;
- (3) The phase the project is in on an annual basis;
- (4) The leaders and consultants chosen to direct the project;
- (5) The amount needed for the project to achieve the bankable stage; and
- (6) The project's planning for long-term success through feasibility studies, marketing plans, and business plans.

14. The department of agriculture, the department of natural resources, the department of economic development and the University of Missouri may provide such assistance as is necessary for the implementation and operation of this section. The authority may consult with other state and federal agencies as is necessary.

15. The authority may charge fees for the provision of any service pursuant to this section.

16. The authority may adopt rules to implement the provisions of this section.

17. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 348.005 to 348.180 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

Further amend said bill, Page 37, Section 414.036, Lines 1-29, by deleting all of said section from the bill; and

Further amend said bill, Pages 38-42, Sections 414.255, 537.345, and 537.348, by deleting all of said sections from the bill; and

Further amend said bill, Page 44, Section 578.040, Line 23, by inserting after all of said section and line the following:

"Section 1. 1. As used in this section the following terms shall mean:

(1) "BTU of gaseous biofuel", British thermal unit of measurement to express the energy content of fuels. BTU is the expression of 1 BTU and use a conversion formula, as appropriate, that it publishes in the Federal Register as conversion factor for gaseous biofuel;

(2) "Gaseous biofuel", derived from bio-waste material, including animal waste, animal processing waste, pre and post-consumer food waste, vegetative waste material, cardboard, and paper waste material through an anaerobic digester process and injected into the natural gas pipeline grid;

(3) "Gaseous biofuel certification", biofuel that meets commercially-acceptable natural gas pipeline quality standards of the local market, that the flow meters used to determine the quantity of gaseous biofuel produced are industry standard and properly calibrated by a third-party professional, and the readings have been taken by a qualified individual;

(4) "MMBTU of gaseous biofuel", British thermal unit of measurement to express the energy content of fuels. MMBTU is the expression of 1 million BTU and use a conversion formula, as appropriate, that it publishes in the Federal Register as conversion factor for gaseous biofuel;

(5) "Missouri qualified gaseous biofuel producer", any producer of gaseous biofuel whose principal place of business and facility for the anaerobic digester and biofuel upgrading is located within the state of Missouri and is registered with the United States Environmental Protection Agency according to the requirements of 40 CFR 79 and which has made formal application, and conformed to the requirements of this section, and:

(a) Has registered with the department of agriculture by March 31, 2016;

(b) Has begun construction of the facility before July 31, 2016; and

(c) Has begun production of gaseous biofuel before December 31, 2016.

2. There is hereby created the "Missouri Qualified Gaseous Biofuel Producer Incentive Fund" that shall be used to provide economic subsidies to Missouri qualified gaseous biofuel producers. Upon appropriation, the director of the department of agriculture shall administer the fund. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. A Missouri qualified gaseous biofuel shall be eligible for a monthly grant from the fund provided that one hundred percent of the feedstock originates in the United States. However, the director may waive the feedstock requirements on a month-to-month basis if the facility provides verification that adequate feedstock is not available. A Missouri qualified gaseous biofuel producer shall only be eligible for the grant for a total of sixty months unless such producers during the sixty months fail, due to a lack of appropriations, to receive the full amount from the fund for which the producers were eligible, in which case such producers shall continue to be eligible until they have received the maximum amount of funding for which such producers were eligible during the original sixty-month time period. The amount of the grant is determined by calculating the estimated BTU of qualified gaseous biofuel produced during the preceding month from feedstock, as certified by the department of agriculture, and applying such figure to the per-BTU incentive credit established in this subsection. Each Missouri qualified gaseous biofuel producer shall be eligible for a total grant in any fiscal year equal to two thousand three hundred forty-four millionths cents per BTU for the first five million MMBTU of qualified gaseous biofuel produced from feedstock in the fiscal year plus seven hundred eighty-one millionths cents per BTU for the next five million MMBTU of qualified biodiesel produced from feedstock in the fiscal year. All such qualified gaseous biofuel produced by a Missouri qualified gaseous biofuel producer in excess of ten million MMBTU shall not be applied to the computation of a grant pursuant to this subsection. The department of agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval of the application described in subsection 7 of this section.

7. In order for a Missouri qualified gaseous biofuel producer to obtain a grant from the fund, an application for such funds shall be received no later than fifteen days following the last day of the month for which the grant is sought. The application shall include:

(1) The location of the Missouri qualified gaseous biofuel producer;

(2) The average number of citizens of Missouri employed by the Missouri qualified gaseous biofuel producer in the preceding month, if applicable;

(3) The number of ton equivalents of Missouri feedstock and out-of-state feedstock used by the Missouri qualified gaseous biofuel producer in the production of gaseous biofuel in the preceding month;

(4) The number of BTU of qualified gaseous biofuel the producer manufactures during the month for which the grant is applied;

(5) Any other information deemed necessary by the department of agriculture to adequately ensure that such grants shall be made only to Missouri qualified gaseous biofuel producers.

8. The director of the department of agriculture, in consultation with the department of revenue, shall promulgate rules and regulations necessary for the administration of the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

9. This section shall expire on December 31, 2016. However, Missouri qualified gaseous biofuel producers receiving any grants awarded prior to December 31, 2016, shall continue to be eligible for the remainder of the original sixty-month time period under the same terms and conditions of this section unless such producer during such sixty months failed, due to a lack of appropriations, to receive the full amount from the fund for which he or she was eligible. In such case, such producers shall continue to be eligible until they have received the maximum amount of funding for which they were eligible during the original sixty-month time period."; and

1 Further amend said bill, Page 45, Section 266.341, Line 52, by inserting after all of said section and line the  
2 following:  
3

4 "Section B. The repeal and reenactment of sections 262.960, 262.962 and 348.407 of section A of this  
5 act shall become effective January 1, 2016."; and  
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7 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.  
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